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Subpart A—Regulations

AUTHORITY: 33 U.S.C. 983(a) and 984(a)(4), as amended; 49 CFR 1.52(a), unless otherwise noted.

SOURCE: 39 FR 10900, Mar. 22, 1974, unless otherwise noted.

§ 401.1 Short title.

These regulations may be cited as the “Seaway Regulations (the “Practices and Procedures” in Canada).”

[39 FR 10900, Mar. 22, 1974, as amended at 65 FR 52913, Aug. 31, 2000]

§ 401.2 Interpretation.

In the regulations in this part:

(a) *Corporation* means the Saint Lawrence Seaway Development Corporation;

(b) *Flashpoint* means the lowest temperature of a flammable liquid at which its vapor forms an ignitable mix-

ture with air as determined by the closed-cup method.

(c) *Manager* means the St. Lawrence Seaway Management Corporation;

(d) *Navigation season* means the annual period designated by the Corporation and the Manager, that is appropriate to weather and ice conditions or vessel traffic demands, during which the Seaway is open for navigation;

(e) *Officer* means a person employed by the Corporation or the Manager to direct some phase of the operation or use of the Seaway;

(f) *Passing through* means in transit through a lock or through the waters enclosed by the approach walls at either end of a lock chamber;

(g) *Pleasure craft* means a vessel, however propelled, that is used exclusively for pleasure and that does not carry passengers who have paid a fare for passage;

(h) *Preclearance* means the authorization given by the Corporation or the Manager for a vessel to transit;

(i) *Representative* means the owner or charterer of a vessel or an agent of either of them and includes any person who, in an application for preclearance of a vessel, accepts responsibility for payment of the tolls and charges to be assessed against the vessel in respect of transit and wharfage;

(j) *Seaway* means the deep waterway between the Port of Montreal and Lake Erie and includes all locks, canals and connecting and contiguous waters that are part of the deep waterway, and all other canals and works, wherever located, the management, administration and control of which have been entrusted to the Corporation or the Manager;

(k) *Seaway station* means a radio station operated by the Corporation or the Manager;

(l) *Tanker* means any vessel specifically constructed for carrying bulk cargoes of liquid petroleum products, liquid chemicals, liquid edible oils and liquified gases in tanks which form both an integral part and the total cargo carrying portion of that vessel.

(m) *Tariff of Tolls* means the same as *Schedule of Tolls* in Canada.

(n) *Tolls(s)* or *tolls and charges* is included in the definition of *fees* in Canada.

(o) *Towed* means pushed or pulled through the water;

(p) *Transit* means to use the Seaway, or a part of it, either upbound or downbound;

(q) *Vessel (ship in Canada)* means any type of craft used as a means of transportation on water; and

(r) *Vessel traffic controller (ship traffic controller in Canada)* means the officer who controls vessel traffic from a Seaway station.

(68 Stat. 93-96, 33 U.S.C. 981-990, as amended and secs. 4, 5, 6, 7, 8, 12 and 13 of sec. 2 of Pub. L. 95-474, 92 Stat. 1471)

[39 FR 10900, Mar. 22, 1974, as amended at 45 FR 52377, Aug. 7, 1980; 65 FR 52913, 52915, Aug. 31, 2000; 66 FR 15329, Mar. 16, 2001]

CONDITION OF VESSELS

§ 401.3 Maximum vessel dimensions.

(a) Subject to paragraph (e) of this section, no vessel of more than 222.5 m in overall length or 23.8 m in extreme breadth shall transit.

(b) No vessel shall transit if any part of the vessel or anything on the vessel extends more than 35.5 m above water level.

(c) No vessel shall transit if any part of its bridges or anything on the vessel protrudes beyond the hull.

(d) No vessel's hull or superstructure when alongside a lock wall shall extend beyond the limits of the lock wall, as illustrated in Appendix I of this Part.

(e) A vessel having a beam width in excess of 23.2 m, but not more than 23.8 m, and having dimensions that do not exceed the limits set out in the block diagram in Appendix I of this Part or overall length in excess of 222.5 m, but not more than 225.5 m, shall, on application to the Manager or Corporation, be considered for transit in accordance with directions issued by the Manager and Corporation.

(68 Stat. 93-96, 33 U.S.C. 981-990, as amended and secs. 4, 5, 6, 7, 8, 12 and 13 of Sec. 2 of Pub. L. 95-474, 92 Stat. 1471)

[39 FR 10900, Mar. 22, 1974, as amended at 45 FR 52377, Aug. 7, 1980; 47 FR 51121, Nov. 12, 1982; 48 FR 20690, May 9, 1983; 61 FR 19550, May 2, 1996; 65 FR 52913, Aug. 31, 2000]

§ 401.4 Maximum length and weight.

No vessel of less than 6 m in overall length or 900 kg in weight shall transit.

(68 Stat. 93-96, 33 U.S.C. 981-990, as amended and secs. 4, 5, 6, 7, 8, 12 and 13 of sec. 2 of Pub. L. 95-474, 92 Stat. 1471)

[47 FR 51121, Nov. 12, 1982]

§ 401.5 Required equipment.

(a) No vessel shall transit unless it is (1) Propelled by motor power that is adequate in the opinion of an officer; and (2) Marked and equipped in accordance with the requirements of § 401.6 to 401.21.

(68 Stat. 93-96, 33 U.S.C. 981-990, as amended and secs. 4, 5, 6, 7, 8, 12 and 13 of Sec. 2 of Pub. L. 95-474, 92 Stat. 1471)

[43 FR 25817, June 15, 1978, as amended at 45 FR 52378, Aug. 7, 1980]

§ 401.6 Markings.

(a) Vessels of more than 20.0 m in overall length shall be correctly and distinctly marked and equipped with draft markings on both sides at the bow and stern.

(b) In addition to the markings required by paragraph (a) of this section, vessels of more than 110 m in overall length shall be marked on both sides with midship draft markings.

(c) Where a vessel's bulbous bow extends forward beyond her stem head, a symbol of a bulbous bow shall be marked above the 79.2 dm mark in addition to a "+" symbol followed by a number indicating the total length in meters by which the bulbous bow projects beyond the stem.

(68 Stat. 93-96, 33 U.S.C. 981-990, as amended and secs. 4, 5, 6, 7, 8, 12 and 13 of sec. 2 of Pub. L. 95-474, 92 Stat. 1471)

[47 FR 51121, Nov. 12, 1982, as amended at 61 FR 19551, May 2, 1996]

§ 401.7 Fenders.

(a) Where any structural part of a vessel protrudes so as to endanger Seaway installations, the vessel shall be equipped with fenders—

(1) That are made of steel, hardwood, or teflon or a combination of two or all of these materials, are of a thickness not exceeding 15 centimeters, with well tapered ends, and are located along the hull, close to the main deck level; and